

# CARR LLP

670 Founders Square  
900 Jackson Street  
Dallas, Texas 75202

RECEIVED  
CENTRAL FAX CENTER  
MAY 08 2006

(214) 760-3000

(214) 760-3003 (facsimile)

## Facsimile Information Sheet

DATE: May 4, 2006

CLIENT/MATTER NO.: IST 3420001

TO: United States Patent and  
Trademark Office

CITY, STATE: Alexandria, Virginia

FACSIMILE NUMBER: 571-273-8300

RE: Power of Attorney and Correspondence Address

TOTAL NUMBER OF PAGES 5 (including Facsimile Information Sheet)

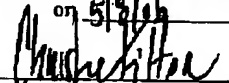
FROM: Gregory W. Carr, Reg. No. 31,093

MESSAGE: Please find attached:

Power of Attorney and Correspondence Address Indication Form; and  
Statement Under 37 CFR 3.73

For application number 10/645,202.

Certificate of Transmission under 37 CFR 1.8  
I hereby certify that this correspondence is being facsimile  
transmitted to the United States Patent and Trademark Office

on 5/4/06  
  
Christie Filter

This message is intended only for the review and use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure. If the reader of this message is not the intended recipient or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address by mail. Thank you.

Christie Filter  
Operator

IF YOU DO NOT RECEIVE ALL OF THE PAGES INDICATED ABOVE,  
PLEASE CALL THE FOLLOWING NUMBER AS SOON AS POSSIBLE: (214) 760-3000

RECEIVED  
CENTRAL FAX CENTER

MAY 08 2006

PTO/SB/81 (01-06)

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	10/645202
Filing Date	August 21, 2003
First Named Inventor	McAfee
Title	Metal-Backed UHMWPE Rod Sleeve...
Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	04-005-US1

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☒ Practitioners associated with the Customer Number:

57004

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

☐ Firm or Individual Name

Address

City

Country

Telephone

State

Zip

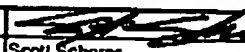
Email

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Signature		Date	4/26/06
Name	Scott Schorer	Telephone	
Title and Company	President & CEO, Innovation Spinal Technologies		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ \*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/5B/96 (12-05)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Innovative Spinal TechnologiesApplication No./Patent No./Control No.: 10/845202 Filed/Issue Date: 8/21/2003Entitled: METAL-BACKED UHMWPE ROD SLEEVE SYSTEM PRESERVING SPINAL MOTIONInnovative Spinal Technologies

(Name of Assignee)

, a corporation

(Type of Assignee: corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a true copy of the original assignment is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

(NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
Signature

Scott Schorer

Printed or Typed Name

President &amp; CEO

Title

4/26/06  
Date

508-618-1295

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application forms to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Mar. 26. 2006 2:18PM oapa

No. 7876 P. 4

Attorney Docket No. 3420001

PATENT

For: U.S. Rights and Foreign Rights  
For: U.S. Application  
By: Inventor

### ASSIGNMENT OF INVENTION

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNOR:

Paul C. McAfee  
621 E. Belfast Rd  
Sparks, MD 21152  
Nationality: U.S.A.

hereby sells, assigns and transfers to

ASSIGNEE:

Innovative Spinal Technologies  
2745 N. Dallas Parkway, Suite 460  
Plano, Texas 75093

the entire right, title and interest for the United States and its territorial possessions and in all foreign countries, including all rights to claim priority, in and to any and all improvements which are disclosed in the invention entitled:

### METAL-BACKED UHMPE ROD SLEEVE SYSTEM PRESERVING SPINAL MOTION

and which is found in the U.S. patent application Serial No. 10/645,202 filed August 21, 2003, and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and ASSIGNOR will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

Assignment - Page 1

Mar. 28. 2006 2:18PM oapa

No. 7876 P. 5

Attorney Docket No. 3420001

PATENT

IN WITNESS WHEREOF, the Assignor has hereunto set his hands on the date indicated below.

Date: 3/26/06

[Signature]  
Signature of Paul G. McAfee

[Signature]  
Witness Signature

Kendra Feltzzone  
Witness Name (Print)

[Signature]  
Witness Signature

Ruth Wheeler  
Witness Name (Print)

Assignment - Page 2